

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35824 of 2024

Arising Out of PS. Case No.-190 Year-2014 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

-
1. Ram Prakash Kamti @ Ramtahal Kamti @ Prakash Kamti Son of Late Ram Adhar Kamti @ Late Ram Aadhar Kamta Resident of Village -Dasaut, P.S.- Hathauri, District - Samastipur, Bihar
 2. Devaki Devi Wife of Late Aadhar Kamti @ Ram Aadhar Kamta Resident of Village -Dasaut, P.S.- Hathauri, District - Samastipur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi Wife of Ram Prakash Kamti @ Ramtahal Kamti @ Prakash Kamti Resident of Village -Mohim Bujurag, P.S.- Kusheshwar Asthan, District - Darbhanga, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 07-10-2024 Heard Mr. Subhash Kumar Jha, learned counsel for the petitioners and Mr. Umeshanand Pandit, learned A.P.P. for the State. Despite valid service of notice, nobody appears on behalf of opposite party no. 2.

2. The petitioners apprehends their arrest in a complaint case punishable for the offence under Sections 323, 498A, 406 & 386 of the Indian Penal Code and Section 3 & 4 of the Dowry Prohibition Act.

3. Allegation against petitioners is of matrimonial



cruelty and demand of dowry.

4. While denying the allegations made in the complaint petition, learned counsel for the petitioners submits that petitioners have been falsely implicated in this case merely because petitioner no. 1 happens to be husband of opposite party no. 2, whereas, petitioner no. 2 is mother-in-law of opposite party no. 2. Petitioners never demanded any dowry or committed torture with opposite party no. 2. Learned counsel for the petitioners further submits that opposite party no. 2 has already solemnized second marriage with on Hare Ram Kamati and from this wedlock, two children have also born. Moreover, the case is triable by the learned Magistrate. The petitioners have further relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in *2006(3) PLJR 182*.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of eight weeks from today, let this petitioners, as named above, be enlarged on bail on furnishing bail bond of **Rs.10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Biraul at Benipur, District - Darbhanga in connection with Complaint Case No. 190 of 2014, subject to the



conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

